

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE 1998

B E F O R E

THE HON'BLE MR. JUSTICE H.L. DATTU

WRIT PETITION NOS.20038-039/1994

BETWEEN:

1. Sri.Mahavir Jain Hindi
Primary School,
Robertsonpet, K.G.F.,
rep. by its Head Master,
Sri.K.Kodanda Ramchandra Rao.
2. N.D.Mine Tamil Higher
Primary School,
Hendry's Colony, Coromandel,
K.G.F. 563 118, rep. by its
Head Master Sri.S.Raja.

... Petitioners
Respectively.

(Sri.Paras Jain for Petrs.)

AND:

1. Dept. of Director of Public
Instructions,
Kolar Dist., Kolar.
2. State Govt. of Karnataka,
VidhanaSoudha,
Bangalore - 1,
rep. by Education Minister.

... Respondents.

(Sri.S.Udayashankar, AGA, for R-1 & R-2.)

... 2/-

These Writ Petitions filed under Articles 226 & 227 of the Constitution of India with an affidavit praying to: Quash the endorsement bearing No.BRD2: (GAD 3) 234 A.A. MANNA 43/93-94 dtd. 10.1.94 and No.GAD3(BRD2)234:Endorsement 42:93-94 dtd. 25.6.94 vide Annex-F & J and etc.

These Writ Petitions coming on for hearing this day, the Court made the following:

O R D E R

Petitioners in these writ petitions are staff working in aided private educational institutions. Petitioner is before this court inter alia seeking directions to the respondents to accord certain service benefits including monetary benefits.

In my view, these reliefs cannot be granted by this Court in view of the observations made by a Division Bench of this Court in W.A.Nos.1833 to 1836/1995 disposed off on 30.5.1998.

This Court while considering the issue whether the staff (Teaching and non-teaching) working in educational institutions run by private management can maintain writ petitions to claim financial aid from the State Govt. in the absence of Master and Servant relation and other incidental issues, was pleased to observe that the writ petitions filed by teaching and non teaching staff of private educational institutions are not maintainable before this Court.

400

Respectfully following the observations made in the aforesaid decision, these petitions are disposed off as not maintainable before this court for the reliefs sought therein. However, liberty is reserved to the petitioners to approach the proper forum as suggested by this court in the aforesaid decision. Ordered accordingly.

Sd/- Judge.

bsr(o.s.)

r.by: *[Signature]*

c.by: *[Signature]* 4/9/98

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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

[Signature] 8/9/98

[Handwritten] 19-9-98



